

State of Arizona Acupuncture Board of Examiners

REGULAR MEETING

January 25, 2006

MINUTES

Board Members Present:

Deborah Malone, L.Ac., Chairman
Della Estrada, L.Ac., Professional Member
Yong Deng, L.Ac., Professional Member (by phone)
Joe Balensi, L.Ac. Professional Member
Michael J. Robb, DC, Professional Member

Board Members Absent:

Martha Grout, MD., Secretary
Lal Fernando, Public Member
Toni Karnas, Public Member
(pending appointment of one member)

Attorney General Representative:

Lisa Miles, Assistant Attorney General

Administrative Staff:

Pete Gonzalez, Executive Director

1. Call To Order

Chairman Malone called the meeting to order at 1:12 p.m.

2. Review, discuss, and vote – Regular Meeting Minutes

Board Member Balensi moved the adoption of the December 21, 2005 Regular Meeting Minutes.

The motion was seconded by Board Member Deng. The motion passed unanimously 5-0.

3. Complaints/Investigations – Review, Discussion and Action

No complaints were reviewed.

4. Consideration of Applicants for Licensure – Review, Discussion and Action

Chairman Malone made a motion to approve licensure for applicants A through H, L, and M:

- A. Mary T. O'Neill
- B. A. DeEtte Doyle
- C. Hsin-Hsin Chang
- D. Lori S. Gardner
- E. Beverly K. Cowan
- F. Dagmar Trebichavska
- G. Christina Lambert
- H. Julie Gorman
- I. Jerry L. McGinnis
- J. Julia A. Eastman
- K. Dahvid Weiss
- L. Rachel R. Cowell
- M. Kerry L. Barrett

Board Member Deng seconded the motion. The motion passed unanimously 5 – 0.

Chairman Malone reviewed the memorandum on applicant Jerry L. McGinnis and informed the Board that Mr. McGinnis does not meet the statutory requirements of 1850 hours. The Executive Director informed the Board that this applicant has additional experience and is licensed in Hawaii and California.

Chairman Malone moved the denial of application for licensure for Jerry L. McGinnis due to failure of meeting statutory requirement of 1850 hours and to designate the Executive Director to act as the individual with authority to represent the Board if the applicant requests a Settlement Conference. Furthermore, the motion specified that the Settlement Conference parameters are limited to denial of the application.

Board Member Balensi seconded the motion. The motion passed 5-0.

Chairman Malone reviewed the memorandum on applicant Julia Eastman and informed the Board that Ms. Eastman does not meet the statutory requirements of 1850 hours. The Executive Director informed the Board that this applicant has additional experience and is licensed in Florida.

Chairman Malone moved the denial of application for licensure for Julia Eastman due to failure of meeting statutory requirement of 1850 hours.

Board Member Deng seconded the motion. The motion passed 5-0.

Chairman moved to designate the Executive Director to act as the individual with authority to represent the Board if the applicant requests a Settlement Conference. Furthermore, the motion specified that the Settlement Conference parameters are limited to denial of the application.

Board Member Balensi seconded the motion. The motion passed 5-0.

Chairman Malone reviewed the memorandum on applicant Dahvid Weiss and informed the Board that Mr. Weiss does not meet the statutory requirements of 1850 hours. The Executive Director informed the Board that this applicant has additional experience and is licensed in Florida.

Chairman Malone moved the denial of application for licensure for Dahvid Weiss due to failure of meeting statutory requirement of 1850 hours because the school listed does not meet board standards for program approval.

Board Member Estrada seconded the motion. The motion passed 5-0.

Chairman Malone moved to designate the Executive Director to act as the individual with authority to represent the Board if the applicant requests a Settlement Conference. Furthermore, the motion specified that the Settlement Conference parameters are limited to denial of the application.

Board Member Balensi seconded the motion. The motion passed 5-0.

5. Consideration of Applicants for Auricular Certification – Review, Discussion and Action

- A. Debra Pierce
- B. Mary C. Nunn

Executive Director Gonzalez explained the memorandum provided to the Board regarding Ms. Debra Pierce who had previously held an Auricular Certificate. In addition, Ms. Pierce had responded with a “yes” to one of the questions found in the application. This question concerns the matter of a complaint (2004) against Ms. Pierce that was later dismissed by the Board.

Chairman Malone moved that an Auricular Certificate be granted to Ms. Debra Pierce. Board Member Balensi seconded the motion.

Board Member Balensi indicated he had filed the complaint against Ms. Pierce in 2004. He stated he filed the complaint because he is required to do so by law.

Assistant Attorney General Lisa Miles asked Board Member Balensi if he could vote on this item fairly, without any bias, on this application without reference to the prior complaint. Board Member Balensi stated he could. The motion passed 5-0.

Chairman Malone moved that an Auricular Certificate be granted to Ms. Mary Nunn. Board Member Estrada seconded the motion. The motion passed 5-0.

6. Consideration of Other Applications – Review, Discussion and Action

Continuing Education:

A. “Getting It Right”: Managing and Sustaining Successful Herbal Practice by Gonzalo Flores, L.Ac., for 7 continuing education units on February 19, 2006 in Phoenix, AZ

Board Member Estrada made a motion to approve Item 6 A. A second was made by Board Member Balensi. The motion passed unanimously 5-0.

7. Professional Business – Review, Discussion and Action

A. Review of fees ARS §32-3927 for 2006

The Board reviewed the current fee schedule of 2005. The Executive Director provided the Board with an overview of the office/board budget.

Chairman Malone made a motion to keep the fees at their current level. Board Member Robb seconded the motion. The motion passed unanimously 5-0.

B. Review of Board Member compensation pursuant to ARS §38-611

Executive Director Gonzalez explained the process of compensating the consumer/public board members for attendance of meetings as set forth by state law. The Board was provided with information on the rates that are allowed by statute and budget.

Chairman Malone moved that compensation for the consumer/public members of the Board be fixed at \$30.00 per meeting. Board Member Estrada seconded the motion. The motion passed 5-0.

C. Election of Board officers

Board Member Estrada nominated Board Member Deng for Chairman of the Board. Board Member Deng declined the nomination. Board Member Balensi nominated Board Member Estrada for Chairman of the Board. Board Member Deng seconded the motion. The motion passed 5-0.

Board Member Balensi nominated Board Member Grout for Secretary of the Board. Board Member Deng seconded the motion. The motion passed 5-0.

D. Legislation update

No report.

E. Rules update

No report.

F. Preceptorship Program

Chairman Malone provided an overview of the preceptorship program as found in R4-8-311 and R4-8-312. The Board discussed the draft application forms for the program and program supervisor. The Board instructed the Executive Director to make several changes to the drafts and bring the forms back to the Board for approval.

8. Executive Director Report

A. Revenue Report

Executive Director Gonzalez provided the Board with the latest budget information for review and discussion.

Legislative committee will be taking place on January 27, 2006 at 9 a.m.

9. Future Agenda Items -- Review, Discussion and Action

Discussion on the topic of conducting a Board training session.
NADA conference in Tucson.

10. Future Meeting Dates – Review, Discussion and Action

March 22, 2006

April 26, 2006

11. Call to the Public

No requests were presented.

12. Adjournment

The meeting adjourned at 3:20 p.m. following a motion by Board Member Balensi and was seconded by Board Member Deng. The motion carried unanimously 5-0.

Respectfully Submitted,

Pete Gonzalez
Executive Director